

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE:

OPENAI, INC.,

COPYRIGHT INFRINGEMENT
LITIGATION

25-md-3143 (SHS) (OTW)

PLAINTIFFS' MOTION TO SEAL

This Document Relates To:

All Cases

Under paragraph 34 of the Stipulated Protective Order in this case (MDL Dkt. 367), Class and News Plaintiffs (collectively, “Plaintiffs”) respectfully seek to provisionally file under seal Exhibit 1 to their Request for Permission to File the Over-Length Letter Regarding OpenAI’s Declarations (Dkts. 461 and 482). Exhibit 1 includes a letter to the Court regarding OpenAI’s Declarations describing its custodial interview, collection, and review processes for text and social media messages (Dkts. 461 and 482). Plaintiffs seek to provisionally file Exhibit 1 under seal because it discusses documents and information that OpenAI has designated as Protected Discovery Material under the Protective Order. Dkt. 367 ¶ 34. Plaintiffs do not affirmatively seek to seal any material. Under the Protective Order, OpenAI has five business days to file a statement of reasons for why the material should be sealed. *Id.* Plaintiffs will review OpenAI’s filings, and if necessary, confer about any disagreement.

Dated: September 3, 2025

/s/ Steven Lieberman

Steven Lieberman (SL8687)

Jennifer B. Maisel (5096995)

Robert Parker (*admitted pro hac vice*)

Jenny L. Colgate (*admitted pro hac vice*)

Mark Rawls (*admitted pro hac vice*)

Michael H. Jones (*admitted pro hac vice*)

Kristen J. Logan (*admitted pro hac vice*)

Bryan B. Thompson (6004147)

Mary L. Mullins (*pending pro hac vice*)

ROTHWELL, FIGG, ERNST & MANBECK, P.C.

901 New York Avenue, N.W., Suite 900 East

Washington, DC 20001

Telephone: (202) 783-6040

Facsimile: (202) 783-6031

slieberman@rothwellfigg.com

jmaisel@rothwellfigg.com

rporter@rothwellfigg.com
jcolgate@rothwellfigg.com
mrawls@rothwellfigg.com
mjones@rothwellfigg.com
klogan@rothwellfigg.com
bthompson@rothwellfigg.com
mmullins@rothwellfigg.com

Jeffrey A. Lindenbaum (JL1971)
ROTHWELL, FIGG, ERNST & MANBECK, P.C.
3 Manhattanville Road, Suite 105
Purchase, New York 10577
Telephone: (202) 783-6040
Facsimile: (202) 783-6031
jlindenbaum@rothwellfigg.com

Attorneys for Daily News Plaintiffs

/s/ Ian Crosby
Ian Crosby (*admitted pro hac vice*)
Genevieve Vose Wallace (*admitted pro hac vice*)
Katherine M. Peaslee (*admitted pro hac vice*)
Susman Godfrey L.L.P.
401 Union Street, Suite 3000
Seattle, WA 98101
Telephone: (206) 516-3880
Facsimile: (206) 516-3883
icrosby@susmangodfrey.com
gwallace@susmangodfrey.com
kpeaslee@susmangodfrey.com

Davida Brook (*admitted pro hac vice*)
Emily K. Cronin (*admitted pro hac vice*)
Adnan Muttalib (*admitted pro hac vice*)
Susman Godfrey L.L.P.
1900 Ave of the Stars, Suite 1400
Los Angeles, CA 90067
Telephone: (310) 789-3100
Facsimile: (310) 789-3150
dbrook@susmangodfrey.com
ecronin@susmangodfrey.com

amuttalib@susmangodfrey.com

Elisha Barron (5036850)
Zachary B. Savage (ZS2668)
Tamar Lusztig (5125174)
Alexander Frawley (5564539)
Eudokia Spanos (5021381)
Susman Godfrey L.L.P.
One Manhattan West
New York, NY 10001
Telephone: (212) 336-8330
Facsimile: (212) 336-8340
ebarron@susmangodfrey.com
zsavage@susmangodfrey.com
tlusztig@susmangodfrey.com
afrawley@susmangodrey.com
espanos@susmangodfrey.com

Scarlett Collings (4985602)
Susman Godfrey L.L.P.
1000 Louisiana, Suite 5100
Houston, TX 77002
Telephone: (713) 651-9366
Facsimile (713) 654-6666
scollings@susmangodfrey.com

Steven Lieberman (SL8687)
Jennifer B. Maisel (5096995)
Kristen J. Logan (*admitted pro hac vice*)
Rothwell, Figg, Ernst & Manbeck, P.C.
901 New York Avenue, N.W., Suite 900 East
Washington, DC 20001
Telephone: (202) 783-6040
Facsimile: (202) 783 6031
sieberman@rothwellfigg.com
jmaisel@rothwellfigg.com
klogan@rothwellfigg.com

Counsel for the New York Times Company

/s/ Stephen Stich Match

Jon Loevy (*pro hac vice*)
Michael Kanovitz (*pro hac vice*)
Matthew Topic (*pro hac vice*)
Stephen Stich Match (No. 5567854)
Steven Art (*pro hac vice*)
Thomas Kayes (*pro hac vice*)
Kyle Wallenberg (*pro hac vice*)
Shelley Geiszler (*pro hac vice*)
LOEVY & LOEVY
311 North Aberdeen, 3rd Floor
Chicago, IL 60607
312-243-5900 (p)
312-243-5902 (f)
jon@loevy.com
mike@loevy.com
matt@loevy.com
match@loevy.com
steve@loevy.com
kayes@loevy.com
wallenberg@loevy.com
geiszler@loevy.com

*Counsel for Plaintiffs The Intercept
Media, Inc. and The Center for
Investigative Reporting, Inc.*

/s/ David Boies

David Boies
BOIES SCHILLER FLEXNER LLP
333 Main Street
Armonk, NY 10504
Tel.: (914) 749-8201
Fax: (914) 749-8300
dboies@bsflp.com

Joshua Michelangelo Stein (*pro hac vice*)
Maxwell V. Pritt (*pro hac vice*)
Reed Forbush (*pro hac vice*)
BOIES SCHILLER FLEXNER LLP
44 Montgomery Street, 41st Floor

San Francisco, CA 94104
Tel.: (415) 293-6813
Fax: (415) 293-6800
jstein@bsfllp.com
mpritt@bsfllp.com
rforbush@bsfllp.com

Jesse Michael Panuccio (*pro hac vice*)
BOIES SCHILLER FLEXNER LLP
1401 New York Ave. NW
Washington, DC 20005
Tel.: (202) 237-2727
jpanuccio@bsfllp.com

Counsel for Class Plaintiffs

/s/ Justin A. Nelson
Justin A. Nelson (*pro hac vice*)
SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
Houston, TX 77002
Tel.: 713.651.9366
jnelson@susmangodfrey.com

Interim Lead Class Counsel

Alejandra C. Salinas (*pro hac vice*)
Amber B. Magee (*pro hac vice*)
SUSMAN GODFREY L.L.P.
1000 Louisiana Street, Suite 5100
Houston, TX 77002
Tel.: 713.651.9366
asalinas@susmangodfrey.com
amatee@susmangodfrey.com

Rohit D. Nath (*pro hac vice*)
SUSMAN GODFREY L.L.P.
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Tel.: 310.789.3100

rmath@susmangodfrey.com

J. Craig Smyser
Charlotte Lepic
SUSMAN GODFREY L.L.P.
One Manhattan West, 51st Floor
New York, NY 10001
Tel.: 212.336.8330
csmyser@susmangodfrey.com
clepic@susmangodfrey.com

Jordan W. Connors (*pro hac vice*)
SUSMAN GODFREY L.L.P.
401 Union Street, Suite 3000
Seattle, WA 98101
Tel.: 206.516.3880
jconnors@susmangodfrey.com

Counsel for Class Plaintiffs

/s/ Rachel Geman
Rachel Geman
Anna J. Freymann
Wesley Dozier (*pro hac vice*)
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
250 Hudson Street, 8th Floor
New York, NY 10013
Tel.: 212.355.9500
rgeaman@lchb.com
afreymann@lchb.com
wdozier@lchb.com

Reilly T. Stoler (*pro hac vice*)
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111
Tel.: 415.956.1000
rstoler@lchb.com

Counsel for Class Plaintiffs

/s/ Scott J. Sholder
Scott J. Sholder
CeCe M. Cole
COWAN DEBAETS ABRAHAMS &
SHEPPARD LLP
60 Broad Street, 30th Floor
New York, NY 10010
Tel.: 212.974.7474
ssholder@cdas.com
ccole@cdas.com

Counsel for Class Plaintiffs

/s/ Joseph R. Saveri
Joseph R. Saveri (*pro hac vice*)
Cadio Zirpoli (*pro hac vice*)
Christopher K.L. Young (*pro hac vice*)
Holden Benon (*pro hac vice*)
Aaron Cera (*pro hac vice*)
Alexander Y. Zeng (*pro hac vice*)
JOSEPH SAVERI LAW FIRM,
601 California Street, Suite 1505
San Francisco, California 94108
Telephone: (415) 500-6800
Facsimile: (415) 395-9940
jsaveri@saverilawfirm.com
czirpoli@saverilawfirm.com
cyoung@saverilawfirm.com
hbenon@saverilawfirm.com
acera@saverilawfirm.com
azeng@saverilawfirm.com

Counsel for Class Plaintiffs

Matthew Butterick (*pro hac vice*)
1920 Hillhurst Avenue, 406
Los Angeles, CA 90027
Telephone: (323) 968-2632
Facsimile: (415) 395-9940
mb@buttericklaw.com

Counsel for Class Plaintiffs

Bryan L. Clobes (*pro hac vice*)
Mohammed A. Rathur (*pro hac vice*)
Krishna Motta (*pro hac vice*)
Alex Lee (*pro hac vice*)
CAFFERTY CLOBES MERIWETHER
& SPRENGEL LLP
135 South LaSalle Street, Suite 3210
Chicago, IL 60603
Telephone: (312) 782-4880
bclobes@caffertyclobes.com
mrathur@caffertyclobes.com
kmotta@caffertyclobes.com
alee@caffertyclobes.com

Counsel for Class Plaintiffs

cc: All counsel of record via ECF